

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In The Matter Of:)
)
Creation of A Low Power)
Docket MM 99-25
Radio Service)

WRITTEN COMMENTS OF WKJCE TLGB RADIO

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In The Matter of:

Creation of A Low Power Radio Service

February 27, 2008

WKJCE TLGB RADIO hereby submits Comments on the FCC's December 2007 Report and Order on translator reform and Low Power FM (LPFM).

Information About WKJCE TLGB RADIO

WKJCE TLGB RADIO is a Net-based, nationwide TLGB independent –non profit radio station, whose goal is to bring new programming and as Senator Barney Frank stated “more education” about the Trans, gay, lesbian and bisexual community to the public. WKJCE TLGB RADIO has

worked closely in the past with the Amherst Alliance in the following areas..

- (1) Persuading the FCC to establish an LPFM Radio Service;
- (2) Persuading Congress to blunt the worst aspects of the limits it placed on LPFM in 2000;

And

- (3) Spearheading a successful Freedom Of Information Act (FOIA) Request for release of a Mitre Corporation study, which rebutted claims of interference from LPFM stations.

In addition, WKJCE TLGB RADIO along with The Amherst Alliance urged the FCC to initiate translator reform. It was also the first to propose protecting LPFM stations from displacement by new, relocating and/or upgrading full power stations.

Thank You, FCC

We thank and commend the Commission for the progress it has made in addressing the important issue of translator reform, we are heartened and delighted by the FCC's decision to:

- (1) Impose a 10-station limit on each applicant for translator licenses;

And

- (2) Apply the 10-station limit retroactively, thus restraining the handful of entities who sought far, far more than their fair share of licenses during The Great Translator Invasion.

Displacement of Non-Local Translators By LPFM Stations

The FCC is also considering whether to allow LPFM stations to

displace certain translators, at least when those LPFM stations meet new, tightened “localism” criteria.

Since Amherst itself has proposed allowing LPFM stations to displace satellite-fed translators, and other non-local translators, we view the Commission’s contemplated policy as a step in the right direction.

With respect to the possibility of limiting such displacement authority to LPFM stations which meet new and tighter “localism” requirements, WKJCE TLGB RADIO

Opposes any elimination of automation that some LPFM stations may be currently using, WKJCE TLGB RADIO although not a licensed lpfm station at this time, currently uses automation to launch podcasts / newscasts and other shows recorded by other people in the TLGB community all over the world as well as local shows, and events happening in the TLGB community. We also feel it would a burden for an lpfm station to have to use an engineer consultant or have a full time engineer on site as well as have many volunteers on premise all hours of the day and night.

Protection For LPFM Stations Against Displacement
By New, Relocating and/or Upgrading Full Power Stations

WKJCE TLGB RADIO takes a similar position with respect to the Commission’s contemplated protection -- against displacement by new, relocating and/or upgrading full power stations -- for those LPFM stations which meet new, and more demanding, localism criteria.

Reiteration of Certain Previous Amherst Recommendations
For More Open Airwaves

While the retroactive 10-station limit for translator applicants is a truly major step forward, and some of the proposed new policies for LPFM stations may be helpful if they are implemented with care, there is more the Commission could -- and should do -- to promote a broader range of ownership and programming on the radio spectrum.

To this end, WKJCE TLGB RADIO would like to point out some of The

Amherst Alliance key recommendations it has proposed to the FCC on numerous past occasions.

Allowing Applicants To File For LP10 Licenses (1-10W)

(1) In the next filing window for Low Power FM licenses, allow and invite applicants for LP10 licenses (1 to 10 watts) to participate -- instead of continuing to limit filing windows solely to applicants for LP100 licenses (11 to 100 watts).

Allowing LP250 Stations (101-250W) in Highly Rural Areas

(2) Also, in the strictly limited case of LPFM applicants whose proposed service areas are highly rural, allow and invite participation in the LPFM filing window by applicants for new LP250 licenses (101 to 250 watts), or possibly even LP1000 licenses (250 to 1000 watts).

Acting, In Docket RM-11287, To Create Low Power AM (LPAM)

(3) Proceed with the establishment of Low Power Radio stations on the AM Band -- which the Commission has already considered through the solicitation and review of Comments from interested parties in Docket RM-11287.

WKJCE TLGB RADIO however does not agree to Amherst Alliance key recommendation of,

Extending, to Class D Educational Stations, Whatever New Protections and/or Privileges May Be Established For LPFM Stations

Class D stations were set aside for educational as well as religious operations; many are now using programming sources off satellites like EWTN, Angel One, and other religious sources hence making them high wattage satellite-fed translators which does not in our opinion, meet new, more demanding, localism criteria and is

opening up the commission for abuse like in the last lpfm filing window where many of these applications were dismissed or denied. We do feel there are still a small amount of class D stations providing local programming, but if the Commission sees fit to allow Class D stations to move to being LPFM stations it may also want to consider allowing some LPFM stations to become class D stations.

Conclusion

For the reasons we have stated herein, WKJCE TLGB RADIO urges the Federal Communications Commission to adopt WKJCE TLGB Radio's recommendations.

Respectfully submitted,

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